

**REMARKS and ARGUMENTS**

Applicants appreciate the Examiners attention to this application. Claims 30-31 and claim 33 have been cancelled, while the other claims of 1-37 remain pending.

**Claim Rejections -35 USC § 103(a)**

The Office Action states:

4. Claims 1-13,15,17-23,25-29,32 and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rotenberg et al. (Slipstream Execution Mode for CMP-Based Multiprocessors) herein referred to as Rotenberg, in view Brown et al. (Speculative Precomputation on Chip Multiprocessors) herein referred to as Brown.
5. *Note that the Brown reference is written by a different inventive entity than the current application and is therefore eligible as prior art under 35 USC 102(a): See MPEP Section 2132 subsection III regarding "by others".*

A declaration under 37 C.F.R. § 1.131 is being submitted herewith to disqualify at least one of the references as prior art. Applicant is also re-submitting herewith the previous version of the redacted Invention Disclosure Form, as submitted on 3-11-2008. The effective date of Brown is 11/2002 and the date of Rotenberg is generically 2002. The present invention was conceived before that Effective Date and thereafter the Application was diligently drafted and filed. Accompanying this response are a declaration and associated evidence, which establish the conception and diligent constructive reduction to practice of the present invention before at least the effective date of Brown. In view of the foregoing, a prima facie case of obviousness has

not been made with respect to any claim in the case, since the rejections rely at least on Brown in some manner.

### **Conclusion**

Therefore, applicant respectfully submits that applicant's independent claims 1, 7, 11, 18, 25, and 32, as well as their dependent claims, are now in condition for allowance for at least the reasons stated above. If there are any additional charges, please charge Deposit Account No. 50-0221. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact David P. McAbee at (503) 712-4988.

Respectfully submitted,  
Intel Corporation

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